

Liberal Party. One of these was Jesse Knight, the present-day mining magnate, who became from that time a staunch supporter of the People's Party.

League Influence at Washington.—The Loyal League sent as its agents to the seat of Government Charles W. Bennett and Robert N. Baskin, both prominent members of the Utah Bar. They found a willing co-worker in Miss Kate Field, whose sensational lecture, "The Mormon Monster," was delivered there about the time of the opening of Congress. Another female ally of the League's agents was Caroline Owen Miles, who had left Utah several years before and secured a clerkship in one of the Departments at Washington.



JESSE KNIGHT

A Good Fighting Chance.—In dismissing the Snow and Cannon cases, the Court of Last Resort had blocked the way toward a final settlement of the momentous issues that had arisen in connection therewith. It had also tied this class of defendants hand and foot and delivered them over to the Utah courts, from whose rulings, however severe, there now seemed no chance of appeal. But Lorenzo Snow had an able attorney and a faithful friend in Franklin S. Richards, the leading counsel for the "Mormon" people in most of the important cases arising in Utah during that period. Mr. Richards was untiring in his efforts to find a way out of the difficulties encompassing his distressed coreligionists. Eventually his resourceful mind hit upon a plan which he thought afforded "a good fighting chance." When the Snow case was taken to Washington, the question mostly pressed was not "segregation," but "constructive cohabitation," involving the identity of the legal wife and the defendant's assumed intimacy with her. Mr. Richards now decided to isolate the "segregation" issue, make it the basis of action, and institute proceedings in behalf of his client on the ground of unlawful detention. Such a plea, however, could only be made to apply to that portion of the Apostle's sentence of imprisonment over and above the first six months, the legal term for unlawful cohabitation. The attorney waited,

therefore, for the six months to expire, before applying for the necessary writ of habeas corpus.

Judge Zane denied the writ, and an appeal was then taken to the Supreme Court of the United States. That tribunal heard the case in January, 1887; Richards and Curtis appearing for the appellant, and Mr. Maury for the Government. The Assistant Attorney General contended that the three judgments pronounced upon Lorenzo Snow were for three distinct offenses, and that he had been fined and imprisoned accordingly. This being the case, the plea of unlawful detention did not apply. In answer to that argument, it was claimed that three separate sentences had been imposed for one offense, unlawful cohabitation, maintained continuously from the first of January, 1883, to the last of December, 1885. There was no evidence that it had been interrupted in any manner whatever between the dates given, and the prosecution could not sit idly by for years, and then swoop down upon the unsuspecting citizen, piling on indictments by a process which, if tolerated, could be made to place him in prison for life and absorb a fabulous sum in fines. There must be an interruption in the relationship of cohabitation, as construed by the courts, before two or more indictments could be found at one time for a past offense. This act, being continuous, was but one offense, and the judgments as to the second and third penalties were therefore void.*

Segregation Shattered.—The Court was now ready to face the issue and right the wrong. It reached a decision on the 7th of February. Assuming jurisdiction of the case, it held that the cohabitation for which the appellant had been convicted was one continuous offense, extending over the entire period covered by the three indictments. This ruling shattered the doctrine of segregation, and put a stop to the practice. Lorenzo Snow, an order for whose release was telegraphed from Washington, left the Penitentiary soon after the decision was rendered. Six others imprisoned under the segregating process likewise regained their liberty.

*A number of English and American cases were cited, bearing with singular analogy upon the case under consideration. In one it had been held that the felonious taking of coal from a mine, day after day, for a period covering four years, was but a single offense, for the reason that there had been no cessation, and the taking was in all respects continuous. In another case a man had attached a fraudulent pipe to a gas main, from which, for a protracted period, gas had been drawn during the day and turned off at night, and yet it was held to be only one offense. The Judge, in one instance had reasoned, that it would be as just to hold that every stitch taken by a tailor on the Lord's day constituted a new and distinct offense in Sabbath-breaking, as to hold that any act continuous in its nature could be so divided and multiplied.